

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RYAN MELVILLE,
on behalf of himself and all others similarly
situated,

Plaintiff,

v.

HOP ENERGY, LLC,

Defendant.

Civil Case No.: 21 Civ. 10406 (KMK) (VR)

MICHELLE MULLANEY and ROBERT
MULLANEY, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

HOP ENERGY, LLC,

Defendant.

Civil Case No.: 23 Civ. 7318 (KMK) (VR)

**DEFENDANT HOP ENERGY, LLC'S NOTICE OF MOTION TO STAY ACTIONS
PENDING APPROVAL OF SETTLEMENT IN FIRST FILED ACTION**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Matthew T. McLaughlin, dated July 19, 2024 and the exhibits thereto, and the accompanying Memorandum of Law, and upon all prior proceedings, pleadings, and filings in this action, Defendant HOP Energy, LLC ("HOP") will move this Court, before the Honorable Victoria Reznick, at the United States District Courthouse, 300 Quarropas St., White Plains, New York 10601, on such day and time as counsel may be heard, for an Order staying all proceedings in these actions pending resolution of

the proposed Settlement by the United States District Court for the Eastern District of Pennsylvania in *Callery v. HOP Energy, LLC*, No. 20-Civ.-3652, which would resolve all claims in the *Melville* and *Mullaney* actions, and for such other relief as this Court deems just and proper.

Dated: July 19, 2024

Respectfully submitted,

NIXON PEABODY LLP

By: /s/ Matthew T. McLaughlin
Matthew T. McLaughlin
NIXON PEABODY LLP
Exchange Place
53 State Street
Boston, MA 02109-2835
Tel: (617) 345-1000
Fax: (617) 345-1300
mmclaughlin@nixonpeabody.com

Kevin Saunders
1300 Clinton Square
Rochester, NY 14604-1792
Tel: (585) 263-1561
ksaunders@nixonpeabody.com

Counsel for Defendant HOP Energy, LLC

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2024, a copy of the foregoing was served via electronic mail to counsel of record for Plaintiff.

/s/ Matthew T. McLaughlin
Matthew T. McLaughlin